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Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)		
Office Action Summary		10/619,917	ALLEN ET AL.		
		Examiner	Art Unit		
		Brent S. Stace	2161		
Period fo	The MAILING DATE of this communication app	1		ddress	
A SH WHIC - Exter after - If NO - Failu Any (ORTENED STATUTORY PERIOD FOR REPLICHEVER IS LONGER, FROM THE MAILING D. Insions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. In period for reply is specified above, the maximum statutory period to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be will apply and will expire SIX (6) MONTHS for cause the application to become ABANDO	ON. timely filed om the mailing date of this of the mailing date of this of the control of the c		
Status					
2a)⊠	Responsive to communication(s) filed on <u>15 A</u> This action is FINAL . 2b) This Since this application is in condition for allowa closed in accordance with the practice under B	s action is non-final. nce except for formal matters,	,	e merits is	
Dienociti	on of Claims	,			
5) □ 6) ⋈ 7) □ 8) □ Applicati 9) ⋈ 10) ⋈	Claim(s) 1-33 is/are pending in the application 4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed. Claim(s) 1-33 is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and/or on Papers The specification is objected to by the Examine The drawing(s) filed on 15 July 2003 is/are: a) Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Examine The Oath Oath Oath Oath Oath Oath Oath Oath	wn from consideration. or election requirement. er. ☐ accepted or b) objected the drawing(s) be held in abeyance. tion is required if the drawing(s) is	See 37 CFR 1.85(a). objected to. See 37 C		
Priority ι	inder 35 U.S.C. § 119				
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
2) D Notic 3) D Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	4) Interview Summ Paper No(s)/Mai 5) Notice of Inform 6) Other:			

DETAILED ACTION

Remarks

1. This communication is responsive to the amendment filed August 15th, 2006.

Claims 1-33 are pending. In the amendment filed August 15th, 2006, Claims 1, 8, 12, 19, 22, 23, and 30 are amended and Claims 1, 8, 12, 19, 23, and 30 are independent Claims. The examiner acknowledges that no new matter was introduced and the claims are supported by the specification. This action is FINAL.

Response to Arguments

- 2. Applicant's arguments filed August 15th, 2006 with respect to Claims 1-33 have been fully considered but they are not persuasive.
- 3. The scope of the independent claims has changed since the independent claims have different limitations and further clarification.
- 4. With respect to the applicant's argument with respect to exemplary Claim 1 (including Claims 8, 12, 19, 23, and 30) that the references allegedly do not teach "wherein the central skills database has limited access to a routing system of the call center to optimize contacts," the examiner respectfully disagrees. McFarlane appears to teach this in the cited sections below of McFarlane, col. 4, lines 53-59. Here McFarlane teaches that the skills database is used, among other factors to connect the calling party to a proper agent. McFarlane has limited access in the fact that the skills

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database is only used as one way/factor of effectively routing a call to an agent (since multiple agents can have the same skills/skill levels (see Fig. 6)).

5. With respect to the applicant's argument with respect to exemplary Claim 1 (including Claims 12 and 23) that the references allegedly do not teach "selectively synchronizing routing logic of the routing system... such that the routing logic determines which of the plurality of agents are to handle a contact based on at least skill data, wherein the synchronizing is independent of the updating," the examiner respectfully disagrees. Bremers and McFarlane appear to teach these limitations in the cited sections below of Bremers, col. 6, lines 32-42 with Bremers, col. 8, lines 27-39 with Bremers, col. 9, lines 35-42 with Bremers, cols. 15-16, lines 63-8 with McFarlane, col. 4, lines 40-59.

As for the "such that the routing logic determines which of the plurality of agents are to handle a contact based on at least skill data" limitation, McFarlane, col. 4, lines 40-59 clearly teaches where McFarlane says "The identified service request is mapped to a selected agent in the pool of agents as a function of agent skill level, agent availability..." Amendments to Claims 8, 19, and 30 are along the same lines as the amendments for Claims 1, 12, and 23. Therefore, these arguments apply to Claims 8, 19, and 30.

As for the "selectively synchronizing routing logic of the routing system..., wherein the synchronizing is independent of the updating" limitation, Bremers teaches this in the cited sections below of Bremers, col. 6, lines 32-42 with Bremers, col. 8, lines 27-39 with Bremers, col. 9, lines 35-42 with Bremers, cols. 15-16, lines 63-8. Here

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Bremers teaches selectively synchronizing by synchronizing only the changes made. Bremers also teaches wherein the synchronizing is independent of the updating by stating that the synchronization can occur on "synchronization events (e.g. triggered by a synchronization schedule, a user command...)". Clearly, synchronization based on a synchronization schedule or a user command is independent of updating the skill data. Additionally, McFarlane teaches the routing logic (rules and source data in the present specification) in McFarlane, col. 5, lines 49-51 with McFarlane, col. 10, lines 29-47 (which is a summary/example of McFarlane, col, 7, lines 19-67) with McFarlane's own routing rules and data used in the rules. Amendments to Claims 8, 19, and 30 are along the same lines as the amendments for Claims 1, 12, and 23. Therefore, these arguments apply to Claims 8, 19, and 30.

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6. With respect to the applicant's argument with respect to exemplary Claim 1 (including Claims 12 and 23) that the references allegedly disclosing more than the claimed subject matter because the references allegedly "create two separate points for accessing the same or similar passive data," the examiner respectfully agrees.

However, the claims do not limit the reference being applied because the reference teaches more than the claims do. Furthermore, if the claims were limiting, merely the synchronization techniques of Bremers are being used in the combination, not the structure of Bremers. Additionally, as the claim is written, it appears that there are two access points for accessing the data. "Synchronizing routing logic...with skill-based information...in the central skill database" implies that the routing logic contains skill

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information from the central skill database. So, it appears that the routing logic and the central skill database both contain skill-based information.

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- 7. With respect to the applicant's argument with respect to exemplary Claim 1 (including Claims 8, 12, 19, 23, and 30) that the "synchronized data in the prior art is sitting passively in another storage device waiting to be accessed, and is not used to actively change functions within the routing system," the examiner respectfully disagrees. As shown above, the data is actively used to change the function of selecting an effective agent in the routing system.
- 8. With respect to the applicant's argument with respect to exemplary Claim 1 (including Claims 8, 12, 19, 23, and 30) that "one skilled in the art would not look to the combination of McFarlane and Bremers to solve the problem facing the Applicants," the examiner respectfully disagrees. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, some teaching, suggestion, or motivation to combine the references is found in the references themselves. Specifically, Bremers and McFarlane both are directed towards utilizing databases on computers, and combining the two together would cost.
- 9. The remainder of the arguments relate to "optimizing a call center that has limited access." These arguments are met in the responses above.

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- 10. The examiner would like to note that the applicant's have cited paragraph [0011] of the specification to, essentially, show that the specification has support for the limitation of "limited access to a routing system of a call center to optimize contacts." As the segment of the specification is worded, it appears that it is well-known in the art that CTI or ACD (switching centers/call centers) restrict access to internal data (apparently rating information) since the specification states "...because CTI and ACD systems necessarily use and restrict access to internal data..." (emphasis added). Additionally, "limited access" can have many definitions relating to 1) access rights/restricted access 2) periodic access (such as a synchronization schedule of Bremers) and 3) only partially accessed. It should be clear from the above arguments which broadest reasonable interpretation the examiner has applied. However, the claim should be amended to further clarify the scope of "limited access." A broadest reasonable interpretation was used since "restricts access" from the specification is not necessarily "limited access."
- 11. The other claims argued merely because of a dependency on a previously argued claim(s) or because they are substantially the same as a previously argued claim(s) in the arguments presented to the examiner, filed August 15th, 2006, are moot in view of the examiner's interpretation of the claims and art and are still considered rejected based on their respective rejections from a prior Office action (parts of recited again below).

Response to Amendment

Information Disclosure Statement

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12. The listing of references in the Search Report is not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. 37 CFR 1.98(a)(2) requires a legible copy of: (1) each foreign patent; (2) each publication or that portion which caused it to be listed; (3) for each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, unless the cited pending U.S. application is stored in the Image File Wrapper (IFW) system; and (4) all other information, or that portion which caused it to be listed. In addition, each IDS must include a list of all patents, publications, applications, or other information submitted for consideration by the Office (see 37 CFR 1.98(a)(1) and (b)). and MPEP § 609.04(a), subsection I. states, "the list ... must be submitted on a separate paper." Therefore, the references cited in the Search Report have not been considered. Applicant is advised that the date of submission of any item of information or any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the IDS, including all "statement" requirements of 37 CFR 1.97(e). See MPEP § 609.05(a).

Specification

13. In light of the applicant's respective arguments or respective amendments, the previous specification objections to the abstract have been withdrawn.

14. The use of the trademark "Siebel" <u>and several others</u> has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Drawings

15. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: all reference characters for Figs. 6 and 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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16. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because numerous reference characters (taken individually) have been used to designate different objects. For example, reference character "135" has been used to designate both an agent (Fig. 1) and Siebel Web Client (Fig. 3). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

17. In light of the applicant's respective arguments or respective amendments, the previous claim objections to the claims have been withdrawn.

Claim Rejections - 35 USC § 103

- 18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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19. This application currently names joint inventors. In considering patentability of

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the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

20. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

U.S. Patent No. 6,453,038 (McFarlane et al.) in view of U.S. Patent No. 6,901,380

(Bremers).

For Claim 1, McFarlane teaches: "A method of maintaining skills for agents of a

contact center, [McFarlane, col. 4, lines 11-28] the method comprising:

• providing profiles in a central skill database for a plurality of agents [McFarlane,

col. 4, lines 7-28 with McFarlane, Fig. 6] wherein the central skill database has

limited access to a routing system of the call center to optimize contacts;

[McFarlane, col. 4, lines 53-59]

• receiving skill data from a skill-impacting system for a first agent; [McFarlane, col.

11, lines 23-55]

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 updating a first profile in the central skill database for the first agent based on the skill data received [McFarlane, col. 11, lines 23-55 with McFarlane, col. 12, lines 17-20]

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- ...such that the routing logic determines which of the plurality of agents are to handle a contact based on at least skill data" [McFarlane, col. 4, lines 40-59].
 McFarlane discloses the above limitations but does not expressly teach:
- "...selectively synchronizing routing logic of the routing system with skill-based information from the first profile in the central skill database ..., wherein the synchronizing is independent of the updating."

With respect to Claim 1, an analogous art, Bremers, teaches:

"...selectively synchronizing routing logic of the routing system with skill-based information from the first profile in the central skill database ..., wherein the synchronizing is independent of the updating" [Bremers, col. 6, lines 32-42 with Bremers, col. 8, lines 27-39 with Bremers, col. 9, lines 35-42 with Bremers, cols. 15-16, lines 63-8 with McFarlane, col. 5, lines 49-51 with McFarlane, col. 10, lines 29-47 (which is a summary/example of McFarlane, col, 7, lines 19-67)].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bremers with McFarlane because both inventions are directed towards utilizing databases on computers.

Bremers's invention would have been expected to successfully work well with McFarlane's invention because both inventions use databases. McFarlane discloses a system for integrating agent database access skills in call center agent assignment

applications comprising an agent database and routing calls to the proper agents, however McFarlane does not expressly disclose selectively synchronizing routing logic of the routing system with skill-based information from the first profile in the central skill database such that the routing logic determines which of the plurality of agents are to handle a contact based on at least skill data, wherein the synchronizing is independent of the updating. Bremers discloses a merchandising system method and program product utilizing an intermittent network connection comprising synchronizing modifications of databases where the synchronization can be on a scheduled basis.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the synchronization methods and a second database to synchronize with from Bremers and install them into the invention of McFarlane, thereby offering the obvious advantage of reducing the bandwidth on the database of agent skills so as to reduce cost.

Claim 2 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, further comprising:

- receiving a contact from a customer; [McFarlane, col. 4, lines 28-33]
- processing routing logic in the routing system to select a second agent from the plurality of agents; [McFarlane, col. 4, lines 39-60] and
- routing the contact to the second agent; [McFarlane, col. 4, lines 39-60]
- wherein the routing logic depends on agent availability and the skill-based information in the routing system" [McFarlane, col. 4, lines 39-60].

Claim 3 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein synchronizing the routing system is accomplished for a plurality of profiles in the central skill database" [Bremers, col. 8, lines 32-43].

Claim 4 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein updating the first profile is triggered when skill data is received from the skill-impacting system" [McFarlane, col. 11, lines 26-55 with McFarlane, col. 12, lines 17-20].

Claim 5 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein synchronizing the routing system is automatically run when triggered by an event" [McFarlane, col. 4, lines 28-60].

Claim 6 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein synchronizing the routing system is automatically run at a predetermined time interval" [Bremers, cols. 15-16, lines 63-8].

Claim 7 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein the skill data is received from a plurality of skill-impacting systems" [McFarlane, col. 11, lines 23-55 with McFarlane, col. 12, lines 17-20].

For Claim 8, McFarlane teaches:

...maintaining a plurality of profiles in a central skill database corresponding to a
plurality of contact center agents, [McFarlane, col. 4, lines 7-28 with McFarlane,
Fig. 6] wherein the plurality of profiles comprise skill-based ratings for a plurality
of skills and wherein the central skill database has limited access to a routing

system of the call center to optimize contacts; [McFarlane, col. 11, lines 22-26 with McFarlane, Fig. 6]

- using data from at least one skill-impacting system to update the plurality of profiles in the central skill database; [McFarlane, col. 11, lines 23-55 with McFarlane, col. 12, lines 17-20]
- ...wherein the source data is based on agent skills and <u>configures</u> routing logic to make routing decisions" [McFarlane, col. 4, lines 39-60].

McFarlane discloses the above limitations but does not expressly teach: "A method for synchronizing skill data in a contact center, comprising:

- ...maintaining source data in a routing system for the contact center
- ...selectively updating the source data based on agent skills with skill-based ratings in the central skill database for reconfiguring the routing logic, wherein the updating the source data is independent of updating the plurality of profiles."

With respect to Claim 8, an analogous art, Bremers, teaches: "A method for synchronizing skill data in a contact center [Bremers, col. 6, lines 32-42 with Bremers, cols. 15-16, lines 63-8] comprising:

- ...maintaining source data in a routing system for the contact center [Bremers,
 col. 6, lines 19-42 with McFarlane, col. 4, lines 39-60]
- selectively updating the source data based on agent skills with skill-based ratings in the central skill database for reconfiguring the routing logic, wherein the updating the source data is independent of updating the plurality of profiles"
 [Bremers, col. 6, lines 32-42 with Bremers, cols. 15-16, lines 63-8].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bremers with McFarlane because both inventions are directed towards utilizing databases on computers.

Bremers's invention would have been expected to successfully work well with McFarlane's invention because both inventions use databases. McFarlane discloses a system for integrating agent database access skills in call center agent assignment applications comprising an agent database and routing calls to the proper agents, however McFarlane does not expressly disclose synchronizing the routing system with skill based information from the first profile in the central skill database. Bremers discloses a merchandising system method and program product utilizing an intermittent network connection comprising synchronizing databases.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the synchronization methods and a second database to synchronize with from Bremers and install them into the invention of McFarlane, thereby offering the obvious advantage of reducing the bandwidth on the database of agent skills so as to reduce cost.

Claim 9 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim'8, further comprising:

- identifying at least one contact characteristic for a customer; [McFarlane, col. 4,
 lines 28-35] and
- selecting an agent from the plurality of agents for the customer; [McFarlane, col.
 4, lines 39-60]

wherein selecting comprises processing the routing logic to consider the skill-based ratings of the plurality of agents in view of the at least one contact characteristic" [McFarlane, col. 4, lines 39-60].

Claim 10 can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 9, wherein selecting further comprises choosing an agent who is a best-fit" [McFarlane, col. 4, lines 51-60 with McFarlane, col. 5, lines 61-65 with McFarlane, col. 8, lines 7-11].

Claim 11 can be mapped to McFarlane (as modified by Bremers) as follows:

"The method from claim 8 wherein maintaining the plurality of profiles is triggered by the occurrence of a skill-changing event indicated by the at least one skill-impacting system" [McFarlane, col. 11, lines 26-55 with McFarlane, col. 12, lines 17-20].

Claims 12-18 encompass substantially the same scope of the invention as that of Claims 1-7, respectfully, in addition to a system and some modules for performing the method steps of Claims 1-7, respectfully. Therefore, Claims 12-18 are rejected for the same reasons as stated above with respect to Claims 1-7, respectfully.

Claims 19-22 encompass substantially the same scope of the invention as that of Claims 8-11, respectfully, in addition to a system and some modules for performing the method steps of Claims 8-11, respectfully. Therefore, Claims 19-22 are rejected for the same reasons as stated above with respect to Claims 8-11, respectfully.

Claims 23-29 encompass substantially the same scope of the invention as that of Claims 1-7, respectfully, in addition to a computer program on a computer readable medium and some code for performing the method steps of Claims 1-7, respectfully.

Therefore, Claims 23-29 are rejected for the same reasons as stated above with respect to Claims 1-7, respectfully.

Claims 30-33 encompass substantially the same scope of the invention as that of Claims 8-11, respectfully, in addition to a computer program on a computer readable medium and some code for performing the method steps of Claims 8-11, respectfully. Therefore, Claims 30-33 are rejected for the same reasons as stated above with respect to Claims 8-11, respectfully.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372 and fax number is 571-273-8372. The examiner can normally be reached on M-F 9am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brent Stace

D.

SUPERVISORY PATENT EXAMINE